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12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 OAKLAND DIVISION

15 UNITED STATES OF AMERICA,) No. CR-13-408-JST
16 Plaintiff,)
17 v.) UNITED STATES' RESPONSE TO COURT'S
18 MUZAFFAR HUSSAIN,) INTENDED JUROR QUESTIONNAIRE
19 Defendant.)
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21 The United States respectfully submits a list of witnesses that *may* testify at trial:

22 Names of Witnesses Who May Testify At Trial:

23 1. Alice Quinn (ADP payroll service)
24 2. Ali Ahmad
25 3. Susan Arteche
26 4. Grace Duncan-Rowe
27 5. Jeffrey C. Jackson (Bank of America)
28 6. Munsoor Bebahany
7. Liz Nomura-Young (California Secretary of State)
8. Arezou Dadgar

1 9. Francesca Aguilera

2 10. Anthony Falcon

3 11. Joseph Hickey

4 12. Donna Howell

5 13. Naheed Hussain

6 14. Iqbal Khan

7 15. Maheen Khan

8 16. Renu Khetrapel

9 17. Cindy Lin

10 18. David Lowe

11 19. Russ Chong

12 20. Adam Gray

13 21. Julie Ryer

14 22. Gary Lukuc

15 23. Robert Myers

16 24. Philip Murphy

17 25. Anne Nilon

18 26. Representative - Social Security Administration (awaiting designation)

19 27. Amjad Saiyed

20 28. Willie Wilcox

21 29. Representative – EDD (awaiting designation)

22 The United States requests that the Court consider including the following questions for the juror

23 Questionnaire:

24 I. Knowledge of Defendant

25 1. Do you know or have you heard of the defendant, Muzaffar Hussain?

26 a. If you know him, how long have you known him and in what capacity?

27 b. If you have heard of him, what have you heard?

2. Have you, your family members or close friends ever worked at, visited, or had any other type of interaction with the following facilities?

- A. Crossroads Home HealthCare and Hospice, Inc.;
- B. Sunshine Home Health Care, Inc.;
- C. Horizon Home Health Care, Inc.;
- D. Ace Billing and Financial Services, Inc.;

If so, please describe the interaction and experience at each facility.

3. Some of the evidence may involve the health care industry, and health care facilities that serve senior citizens in particular. Do you have any experience with health care facilities that serve senior citizens other than those specifically mentioned in the previous question?

4. Have you, your family members or close friends ever had a bad experience with a health care facility?

5. Have you, a family member, or close personal friend ever been an officer of or held a management position at a health care facility?

II. Experience with the Internal Revenue Service

1. Have you, any member of your family or close friends ever been employed by the Internal Revenue Service or the United States Government ?

a. If so, please describe the circumstances and position of employment.

2. Have you, any member of your family or close friends ever been audited by the Internal Revenue Service?

a. If so, did that audit result in any collection action?

3. Have you, any member of your family or close friends ever been the subject of an Internal Revenue Service investigation or other investigation conducted by the government?

a. If so, please describe the nature of the investigation and its outcome (at sidebar).

4. Have you, any member of your family or close friends ever been the subject of an Internal Revenue Service levy or lien to collect unpaid taxes?

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1 5. Have you, any member of your family or close friends ever had a dispute with the
2 Internal Revenue Service?

3 6. To jurors who responded affirmatively to questions 1, 2, 3, or 4:
4 a. how long ago?
5 b. was the matter resolved to your satisfaction?
6 c. were you treated fairly by the government employees involved?
7 d. were you treated courteously by government employees?
8 e. as a result of that experience, do you hold any resentment toward the government,
9 the IRS or any particular employee or employees of the government?

10 7. To jurors who responded that the matter was not resolved to their satisfaction or that they
11 were unfairly and/or discourteously treated by the government,

12 a. would your feelings prevent you from listening to the government's case and
13 giving a verdict based solely on the evidence presented?

14 8. Do you, any member of your family or close friends belong to an organization or group
15 or association, that works for the abolition or revision of the tax laws of the United States?

16 9. Do you, any member of your family or close friends hold strong personal or
17 philosophical feelings about the tax system of the United States?

18 a. If so, what are those feelings?
19 b. Would those feelings prevent you from reaching a fair and impartial verdict based
20 only on the evidence in this case?

21 10. Do you, any member of your family or close friends believe that the income tax laws of
22 the United States are unconstitutional?

23 11. This case involves an allegation by the United States that the defendant Muzaffar Hussain
24 willfully failed to account for and pay over payroll taxes of a company that he owned and operated. Do
25 you have any objection to the law that requires employers to withhold taxes from employees' paychecks
26 and pay them to the government?

27 12. Are you self-employed?

13. Do you prepare your own tax returns?

14. Do you own or operate a small business?

15. Do you prepare or are you involved in the preparation of payrolls and the calculation and payment of payroll taxes?

16. Do you receive assistance preparing your returns?

17. Have you ever had any training in accounting?

18. Do you or does any member of your family have a personal feeling of distrust, animosity or suspicion of the Internal Revenue Service, or the Department of Justice or its employees? If so, please describe these feelings.

Respectfully submitted,

BRIAN J. STRETCH
Acting United States Attorney